



State of Washington Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

For Ecology Use

Fee Paid 150.00

Date 6/6/06 AK

RECEIVED

JUN 06 2006

DEPT. OF ECOLOGY

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name WILLIAM W. WINTER Home Tel: 360-733-0149
Mailing Address 2138 DELLESTA DR. Work Tel: () - () - ()
City BELLINGHAM State WA Zip+4 98226 + 7823 FAX: 360-733-0149

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

☒ Same as above

Name _____ Home Tel: () - _____
Mailing Address _____ Work Tel: () - _____
City _____ State _____ Zip+4 _____ + _____ FAX: () - _____
Relationship to applicant _____

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than FIVE (5) .01 cfs per William OK (☐ gallons per minute or ☒ cubic feet per second) from a ☒ surface water source or ☐ ground water source (check only one) for the purpose(s) of DOMESTIC IRRIGATION (LAWN & GARDEN). ATTACH A "LEGAL" DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient.

Estimate a maximum annual quantity to be used in acre-feet per year: 4000 GAL/ACRE

☐ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:

From / / to / /

Section 4. WATER SOURCE

If SURFACE WATER					If GROUNDWATER			
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.: <u>LAKE WHATCOM</u>					A permit is desired for _____ well(s).			
Number of diversions: <u>ONE</u>								
Source flows into (name of body of water): <u>BELLINGHAM BAY</u>					Size & depth of well(s):			
LOCATION								
Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:								
1/4 of	1/4 of	Section	Township	Range(E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
		<u>26 T</u>	<u>38 N</u>	<u>3E E/W</u>	<u>WHATCOM</u>	<u>40, 41</u> <u>42, 43</u>		<u>"DELLESTA PIKE"</u>
For Ecology Use Date Received: _____ Priority Date: <u>6/6/06</u>								
SEPA: <input checked="" type="checkbox"/> Exempt/Not Exempt FERC License # _____ Dept. Of Health # _____								
Date Accepted As Complete <u>6/6/06</u> By <u>OG</u> Date Returned _____ By _____ WRIA: <u>1</u>								

380326 460098 0000

ECY 040-1-14
Rev. 7/97 ***f

APPLICATION

Appl. No.: 51-28442

Parcel #

Section 5. GENERAL WATER SYSTEM INFORMATION

- A. Name of system, if named: 0
- B. Briefly describe your proposed water system. (See instructions.)
3/4 H.P. MOTOR PUMPING FROM LAKE WHATCOM, STORED IN 83 GALLON STORAGE TANK
- C. Do you already have any water rights or claims associated with this property or system? ☒ YES ☐ NO
PROVIDE DOCUMENTATION.

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION (Completed for all domestic/public supply uses.)

- A. Number of "connections" requested: ONE Type of connection HOME
(Homes, Apartment, Recreational, etc.)
- B. Are you within the area of an approved water system? ☐ YES ☒ NO
If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department.

Complete C. and D. only if the proposed water system will have fifteen or more connections.

- C. Do you have a current water system plan approved by the Washington State Department of Health? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.
- D. Do you have an approved conservation plan? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION (Complete for all irrigation and agriculture uses.)

- A. Total number of acres to be irrigated: _____
- B. List total number of acres for other specified agricultural uses:
Use _____ Acres
Use _____ Acres
Use _____ Acres
- C. Total number of acres to be covered by this application: _____
- D. Family Farm Act (Initiative Measure Number 59, November 3, 1977, as amended by Chapter 237, Laws of 2001)
Add up the acreage in which you have a controlling interest, including only:
‡ Acreage irrigated under water rights acquired after December 8, 1977;
‡ Acreage proposed to be irrigated under this application;
‡ Acreage proposed to be irrigated under other pending application(s).
1. Is the combined acreage greater than 6000 acres? ☐ YES ☐ NO
2. Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☐ NO
If yes, enter permit no: _____
- E. Farm uses:
Stockwater - Total # of animals _____ Animal type _____ (If dairy cattle, see below)
Dairy - # Milking _____ # Non-milking _____

APPLICATION

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

☐ YES ☒ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

I-5 TO BELLINGHAM → IDNA ST. EXIT EAST TO ALABAMA,
E. ON ALABAMA TO N. SHORE DR. 2.8 MILE SE. ON N. SHORE
TO DELLESTA DR. (BRICK PILLARS) THROUGH BRICK PILLARS, VEER
LEFT, ABOUT 10 HOUSES DOWN ON RIGHT

Section 10. REQUIRED MAP

- A. Attach a map of the project. (See instructions.) ENCLOSED


Section 11. PROPERTY OWNERSHIP

- A. Does the applicant own the land on which the water will be used? ☒ YES ☐ NO
If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

- B. Does the applicant own the land on which the water source is located? ☒ YES ☐ NO
If no, submit a copy of agreement:

SEE NEXT PAGE

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.


Applicant (or authorized representative)

6/2/06
Date

Landowner for place of use (if same as applicant, write "same")

Date

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

- 1) SECTION II PART B
"ALL LOTS EXTEND TO THE OUTER BOUNDARY OF
THE SHORE LANDS....."
THE WATER INTAKE IS WITHIN THE ABOVE.
- 2) THE EXISTING SYSTEM HAS BEEN FUNCTIONING
SINCE THE HOME WAS BUILT IN 1940.
- 3) THIS IS A WATER RIGHT REAPPLICATION [SEE
ENCLOSED]

We are returning your application for the following reason(s):	
____ Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
____ Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by _____ (date).	

Ecology staff _____ Date _____

Ecology is an Equal Opportunity and Affirmative Action employer.

To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice)
or (360) 407-6006 (TDD).

APPLICATION

State of Washington
Department
of Ecology

FEB 13 74 074028

CASH OTHER NONE



Water Right Claims Registration

Water Right Claim

Name WILLIAM W. WINTER

01

Address 2138 DELLESTA DRIVE

BELLINGHAM Zip Code 98225

Phone No. 733-0149

1) Source from which the right to take and make use of water is claimed: ☒ Surface Water ☐ Ground Water

If surface water, please indicate source; give name if known:

LAKE WHATCOM

(River, stream, lake, pond, spring, etc.)

2) Purpose(s) for which water is used:

☒ Domestic ☐ Stockwatering ☒ Irrigation (lawn and garden) ☐ Other Use (specify) _____

3) Legal description of lands on which water is used: _____

Lots 40, 41, 42 and 43, "Dellesta Park", Whatcom County,

Washington, as per the map thereof, recorded in Book 7 of
Plats, page 34, in the Auditor's office of said county

and state.

If located within the limits of a recorded platted property:

Lot 40, 41, 42/ and 43 Block _____ of "Dellesta Park"

(Give name of plat or addition)

In addition, please indicate Sec. 26 T. 38 N., R. 3E E/W, W.M.

County in which lands are located WHATCOM

DO NOT USE THIS SPACE

The filing of a statement of claim does not constitute an adjudication of any claim to the right to use of waters as between the water use claimant and the state or as between one or more use claimants and another or others. This acknowledgment constitutes receipt for the filing fee.

Date Registered

This has been assigned
Water Right Claim Registry No.

737061003

Director, Department of Ecology

I hereby swear that the above information is true and accurate to the best of my knowledge and belief.

X

Date

If claim filed by designated representative print or type full name and mailing address of agent below.

JAMES F. FLYNN, ATTORNEY
805 DUPONT ST. BELLINGHAM

☐

Additional information relating to water quality and/or well construction is available.

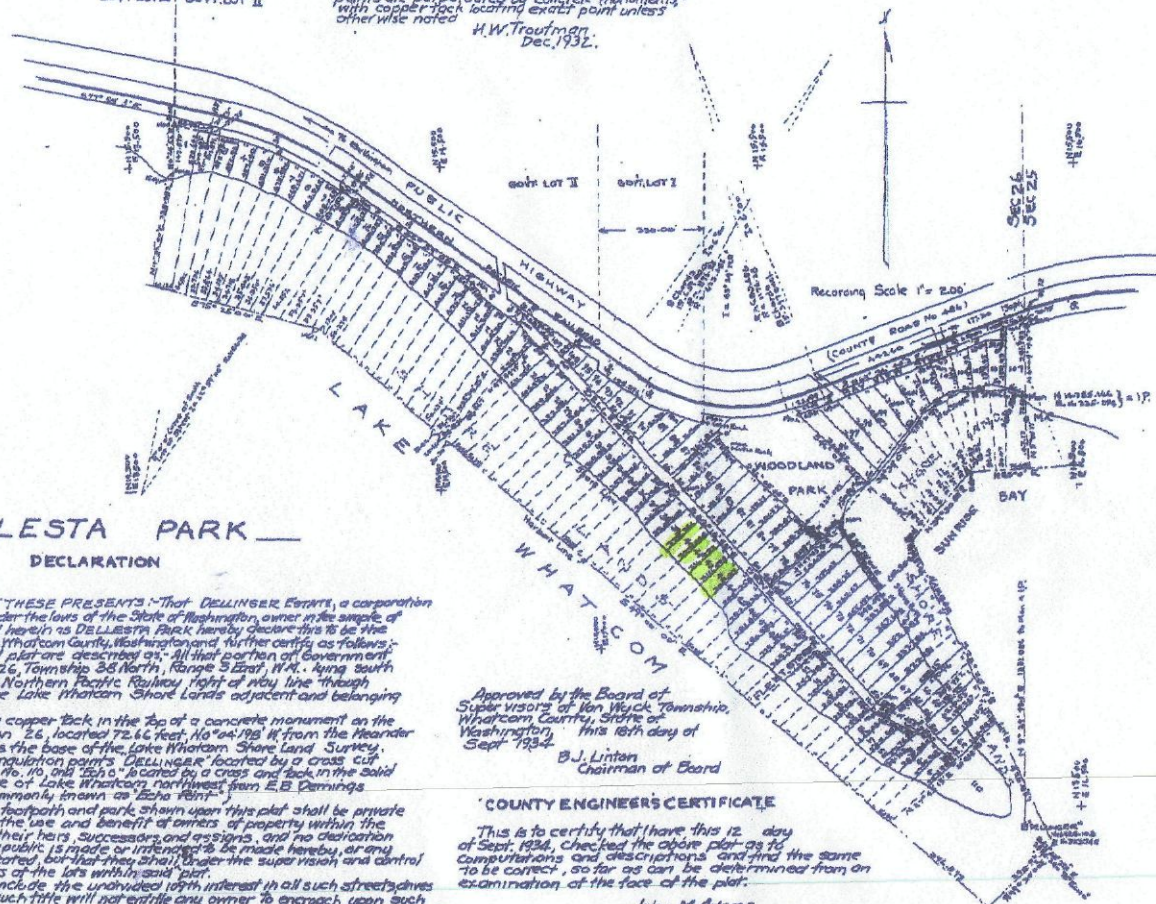
A FEE OF \$2.00 MUST ACCOMPANY THIS WATER RIGHT CLAIM

Return all three copies with carbons intact, along with your fee to:

Department of Ecology, Water Right Claims Registration, Olympia, Washington 98504

WATER RIGHT CLAIM REGISTRY #
APR 23 74 061003

I, the undersigned, a civil engineer hereby certify that I personally made the survey of this plat, and have carefully located and established each point shown thereon in their relationship to the base line and initial point. The principal points are perpetuated by concrete monuments, with copper tack locating exact point unless other wise noted.
H.W. Trautman,
Dec. 1932.



DELLESTA PARK

DECLARATION

KNOW ALL MEN BY THESE PRESENTS: That DELLESTER ESTATE, a corporation organized and existing under the laws of the State of Washington, owner in fee simple of the tract of land platted herein as DELLESTA PARK hereby declares this to be the Plat of DELLESTA PARK, Whatcom County, Washington and further certifies as follows: The lands included in said plat are described as: All that portion of Government Lots No. 1 and 2, Section 26, Township 38 North, Range 5 East, N.M., lying south of the South line of the Northern Pacific Railway right of way line through said lots and including the Lake Whatcom Shore Lands adjacent and belonging thereto.

The initial point is a copper tack in the top of a concrete monument on the east line of said Section 26, located 72.46 feet, N 64° 19' 11" W from the Meander Corner. The Base line is the base of the Lake Whatcom Shore Land Survey, more particularly the triangulation points DELLESTER located by a cross cut in the solid rock in Lot No. 10, and 12.50' located by a cross and tack in the solid rock on the south shore of Lake Whatcom, northwest from E.B. Demings residence at what is commonly known as Echo Point.

The streets, drives, footpath and park shown upon this plat shall be private and deemed to exist for the use and benefit of owners of property within the boundaries of this plat, their heirs, successors and assigns, and no dedication thereof for the use of the public is made or intended to be made hereby, or any public interest therein created, but that they shall, under the supervision and control at all times by the owners of the lots within said plat.

Title to any lot will include the undivided joint interest in all such streets, drives, footpath, and park, but such title will not entitle any owner to encroach upon such street, drive, footpath or park with any building, fence or otherwise, and they shall always remain open for the free and unobstructed use of the entire community within the limits of the plat. Providing, nothing is intended hereby to prevent any owner of lots abutting on the park from land-scaping or otherwise beautifying the park grounds lying adjacent thereto, or from constructing walks or improving the streets, drives and footpath in a manner consistent with the above.

All lots extend to the eastern boundary of the Shore Lands with the exception of Lots 73 to 75 inclusive, and lots 108 and 109 which are as shown. That part of the Shore Lands lying SW of Lot 76, NW of Lot 77, NE of Lot 73, 74, 75, 76, and 77 is intended, and is hereby made a part of the park.

The said corporation has caused its corporate name to be hereunto subscribed and its seal hereunto affixed this 12th day of Sept. 1934.

Attest
P.H. Browne Secretary.
By George C. Dellinger President.

State of Washington, ss.
County of Whatcom.

On this 12th day of Sept. 1934, before me personally appeared, Geo. C. Dellinger and P.H. Browne, to me known to be the President and Secretary respectively of DELLESTER ESTATE. The corporation that executed the foregoing declaration, and acknowledged the same to be the true and voluntary act and deed of said corporation for the use and purpose therein mentioned, and on oath stated they were authorized to execute said declaration, and that the seal attached is the corporate seal of said corporation.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Francis M. Coll,
Notary Public in and for the State of Washington,
residing at Bellevue in said State.

Approved by the Board of
Superiority of Jon Wyck Township,
Whatcom County, State of
Washington,
this 16th day of
Sept. 1934.
B.J. Linton
Chairman of Board

COUNTY ENGINEER'S CERTIFICATE

This is to certify that I have this 12 day of Sept. 1934, checked the above plat as to computations and descriptions and find the same to be correct, so far as can be determined from an examination of the face of the plat.

John M. Adams
County Engineer of
Whatcom County, Washington.

I, Pliny T. Snyder, County Treasurer of Whatcom County, Washington, do hereby certify that all taxes which have been levied and become chargeable against the property embraced within this plat, including the year 1934, have been fully paid, and that I am the officer in charge of the collection of special assessments levied by said County of Whatcom on all the land embraced in this plat, and that all delinquent special assessments for which the property embraced in this plat may be liable, to this date, have been paid.

September 19th 1934 Pliny T. Snyder,
County Treasurer
Whatcom County, Washington.

STATE OF WASHINGTON ss. I hereby certify that this plat was filed for record at the office of the Auditor of Whatcom County, Washington, at the request of DELLESTER ESTATE on the 19th day of Sept. 1934 at 2 o'clock P.M., and that it is recorded in Volume 7 of Plats at page 24, the records of said County.

File No. 435720

G.P. Kincaid
Auditor and Recorder of
Whatcom County, Washington.

Approved by the Board of County Commissioners, Whatcom County,
Washington on this 12th day of Sept. 1934.

Fred E. Laube,
Chairman of Board.

